



October 5, 2004

TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn:

Art Unit 2812 - Examiner Lindsay Jr, Walter Lee

FROM:

George O. Saile, Reg. No. 19,572
28 Davis Avenue
Poughkeepsie, N.Y. 12603

SUBJECT:

Serial #: 10/736,942
File Date: 12/16/2003
Inventor: Wenhe Lin
Examiner: Lindsay Jr, Walter Lee
Art Unit: 2812
Title: Methods to Form Dual Metal Gates by Incorporating Metals
and their Conductive Oxides

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Restriction Requirement in the Office Action dated Sept. 7, 2004. In that office action, restriction was required to one of the following Inventions under

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents P.O. Box 1450, Alexandria, VA 22313-1450 on October 6, 2004.

Signature *SA*

Stephen B. Ackerman, Reg. No. 37,761

Date: October 6, 2004

35 U.S.C. 121:

The inventions stated are:

I - Claims 31-42, drawn to a semiconductor device, classified in class 257, subclass 1+, and

II - Claims 1-30, drawn to a method of making a semiconductor device, classified in class 438, subclass 199.

The subject Restriction Requirement is believed to have been sent in error. The Group II claims 1-34 and 39-42 have already been cancelled upon filing of this Divisional patent application, as shown in the attached copy of the filing papers.

Withdrawal of the Restriction Requirement, and allowance of the present Patent Application, is respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,



Stephen B. Ackerman, Reg. No, 37,761